

CITY OF SAN ANTONIO

Zoning Commission Agenda

Board Room
First Floor, Development Business Service Center
1901 S. Alamo

November 15, 2005
Tuesday, 11:30 A.M.

ZONING COMMISSIONERS

Gilbert Kissling – District 1	James Gray – District Mayor
Jureta Marshall – District 2	Jody Sherrill – District 7
Joe Farias – District 3	Dr. Morris A. Stribling – District 8
Henry Avila – District 4	James McAden – District 9
Eiginio Rodriguez – District 5	Robert R. Robbins – District 10
Christopher R. Martinez – District 6	
Chairman	

1. **Work Session presentation by zoning staff to discuss zoning case recommendations and other items for consideration on agenda for November 15, 2005, at 11:30 A.M. Tobin Room, 1901 S. Alamo, Development Business Services Center.**
2. Call to Order – Board Room – 1:00 PM.
3. Roll Call.
4. Pledge of Allegiance.
5. Director's Report.
6. Approval of October 18, 2005 Minutes
7. **ZONING CASE NUMBER Z2005231:** The request of Brown, P. C., Attorneys at Law, Applicant, for Big Springs, Ltd., Owner(s), for a change in zoning from PUD "R-6" ERZD Planned Unit Development Residential Single-Family Edwards Recharge Zone District to "MF-33" ERZD Multi-Family Edwards Recharge Zone District on P-10, NCB 19219, West of the intersection of 281 North and Evans Road. (Council District 9)

8. **ZONING CASE NUMBER Z2005235 CD:** The request of Brown, P. C., Applicant, for Presto Tierra, Ltd., Owner(s), for a change in zoning from “FR” Farm and Ranch District and “RD” Rural Development District to “RD” (CD-density up to 4 units/acre) Rural Development with Conditional Use for density up to 4 units/acre and “RD” Rural Development on 455 acres out of CB 4298, Southwest corner of Watson Road and State Highway 16. (Council District 4)

A. Finding of consistency with Master Plan.
B. Recommendation on zoning change request.
9. **ZONING CASE NUMBER Z2005245 CD:** The request of Richard Gomez, Applicant, for Richard Gomez, Owner(s), for a change in zoning from “C-2” Commercial District to “C-2” (CD-Automotive Repair Shop) Commercial District with a Conditional Use for a Automotive Repair Shop on Lot 22, Block 34, NCB 9073, 1251 Austin Highway. (Council District 10)

A. Finding of consistency with Master Plan.
B. Recommendation on zoning change request.
10. **ZONING CASE NUMBER Z2005261:** The request of Brown, P. C., Applicant, for Stanley and Ernestine Studer, Owner(s), for a change in zoning from “R-6” Residential Single Family District and “C-2” Commercial District to “MF-25” Multi Family District on 5.960 acres out of Block 2, NCB 14864, 10127 Huebner Road. (Council District 8)

A. Finding of consistency with Master Plan.
B. Recommendation on zoning change request.
11. **ZONING CASE NUMBER Z2005241 CD:** The request of Beatriz Talayero, Applicant, for Marcus Crassus Land, Ltd., Owner(s), for a change in zoning from “I-1” General Industrial District to “C-2” (CD - Wholesale Bakery) Commercial District with a Conditional Use for a Wholesale Bakery on the south 75 feet of Lots 1 and 2, Block 23, NCB 7683, 6208 and 6212 South Flores Street. (Council District 3)

A. Finding of consistency with Master Plan.
B. Recommendation on zoning change request.
12. **ZONING CASE NUMBER Z2005215:** The request of Arturo and Maria de Lourde Monroy, Applicant, for Arturo and Maria de Lourde Monroy, Owner(s), for a change in zoning from “I-1” General Industrial District to “C-3NA” General Commercial Nonalcoholic Sales District on Lot 7, Block 4, NCB 8782, 1273 New Laredo Highway. (Council District 4)
13. **ZONING CASE NUMBER Z2005243:** The request of H L H Properties, LP, Applicant, for Harry Hausman, Owner(s), for a change in zoning from “C-2” Commercial District to “R-4” Residential Single-Family District on Lots 30 through 32, Block 25, NCB 3200, 1523 and 1525 Bailey Avenue. (Council District 3)

14. **ZONING CASE NUMBER Z2005251:** The request of Rogelio Ibarra, Applicant, for Rogelio Ibarra and Sara, Owner(s), for a change in zoning from “R-4” Residential Single Family District to “MH” Manufactured Housing District on Lot 5, Block 1, NCB 10867, 7701 Shetland Drive.
(Council District 3)
15. **ZONING CASE NUMBER Z2005252:** The request of Mi Valle Partners, Ltd., Applicant, for Mi Valle Partners, Ltd., Owner(s), for a change in zoning from “C-3” General Commercial District to “MF-33” Multi-Family District on 4.826 acres out of NCB 14868, Approximate Southwest Corner of Babcock Road and De Zavala Road. (Council District 8)
16. **ZONING CASE NUMBER Z2005253:** The request of Earl & Associates, P. C., Applicant, for HLH Properties, L. P., Owner(s), for a change in zoning from “MF-33” Multi Family District and “I-1” General Industrial District to “R-4” Residential Single-Family District on Lots 20 - 25, Block 21, NCB 3196, West of the intersection of Elgin Avenue and Kayton Avenue. (Council District 3)
17. **ZONING CASE NUMBER Z2005255:** The request of J. H. & T. G. F. Ltd., Applicant, for Kopplow Family Limited Partnership, Owner(s), for a change in zoning from “MH” “IH-1” Manufactured Housing Northeast Gateway Corridor Overlay District 1 to “L” “IH-1” Light Industrial Northeast Gateway Corridor Overlay District 1 on Lot 2, NCB 13807, 5103 Sherri Ann Road.
(Council District 10)
18. **ZONING CASE NUMBER Z2005256:** The request of O'Haver Development, LLC, Applicant, for Dian Antonio E. Fernandez and Aura Guadalupe Borges DeDiaz, Owner(s), for a change in zoning from “R-6” Residential Single Family District to “C-3NA” General Commercial Nonalcoholic Sales District on P-4B, NCB 15722, 12997 O'Connor Road. (Council District 10)
19. **ZONING CASE NUMBER Z2005257:** The request of Kaufman and Associates, Inc., Applicant, for Nickel Joint Venture, Owner(s), for a change in zoning from “R-6” Residential Single-Family District to “C-3” General Commercial District on 22.586 acres out of NCB 34392, Approximate Northeast corner of West Loop 1604 North and Potranco Road. (Council District 6)
20. **ZONING CASE NUMBER Z2005258:** The request of Comprehensive Radiology Management Services, Applicant, for MTB Interests Inc. & WOB Interests Inc., Owner(s), for a change in zoning from “I-2” Heavy Industrial District to “C-2” Commercial District on 1.853 acre tract out of P-108, NCB 11186, 7800 Block of Barlite Boulevard. (Council District 4)
21. **ZONING CASE NUMBER Z2005259:** The request of Regent Communities Partners, L. P., Applicant, for Frank G. Persyn, Owner(s), for a change in zoning from “R-6” Residential Single-Family District to “R-5” Residential Single-Family District on 200.78 acres out of NCB 18288, 8788 Reed Road.
(Council District 6)
22. A briefing by the San Antonio Water System on the proposed 2006 Budget, CIP program and rate adjustments for Water Supply Fee, Water, Wastewater rates, fees for liquid waste transportation and other miscellaneous fees.

23. Executive Session: consultation on Attorney-client matters (real estate, litigation, personnel and security matters) as well as any of the above agenda items may be discussed.
24. **ADJOURNMENT**

Accessibility Statement

This meeting is wheelchair accessible. The accessible entrance is located at 1901 S Alamo. Accessible parking spaces are located in front of the building. Auxiliary aids and services are available upon request. Interpreters for the deaf must be requested at least 48 hours prior to the meeting by calling 207-7245

CASE NO: Z2005215

Final Staff Recommendation - Zoning Commission

Date: November 15, 2005

Council District: 4

Ferguson Map: 649 C7

Applicant Name:

Arturo and Maria de Lourde Monroy

Owner Name:

Arturo and Maria de Lourde Monroy

Zoning Request: From "I-1" General Industrial District to "C-3 NA" General Commercial Nonalcoholic Sales District.

Property Location: Lot 7, Block 4, NCB 8782

1273 New Laredo Highway

North of the Intersection of Southwest Military Drive and New Laredo Highway

Proposal: To operate a used car lot

Neigh. Assoc. Quintana Community Association

Neigh. Plan None

TIA Statement: A Traffic Impact Analysis is not required.

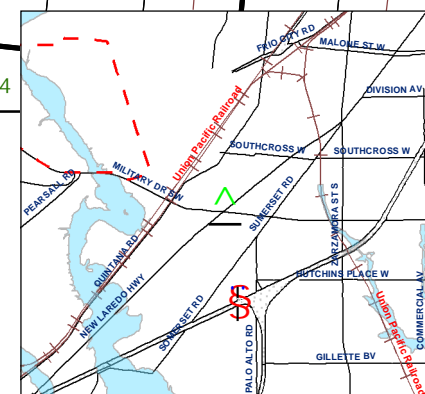
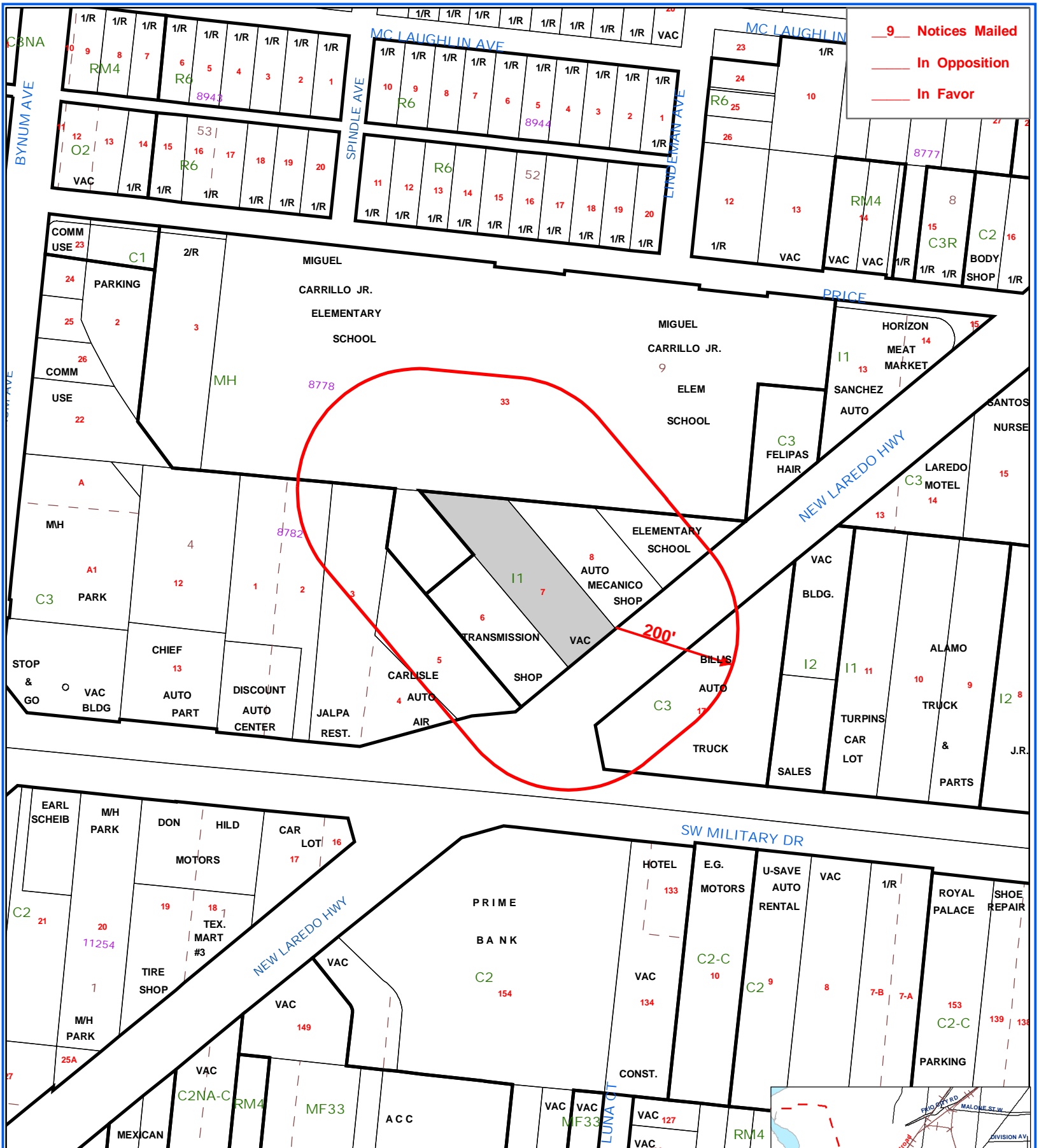
Staff Recommendation:

Approval.

The subject property is currently undeveloped and located north of the intersection of two major thoroughfares (New Laredo Highway and Southwest Military Drive). The surrounding properties are zoned for industrial use and are primarily auto repair facilities. There is a school located to the north on the other side of one of the auto repair shops. "C-3 NA" commercial would be a down zoning from industrial. The proposed car lot would be appropriate at this location.

This case was heard on September 20, 2005 by Zoning Commission and on October 13, 2005 by City Council. City Council sent the case back to Zoning Commission for the consideration of a non-alcoholic sales designation.

CASE MANAGER : Robin Stover 207-7945



CASE NO: Z2005231

Final Staff Recommendation - Zoning Commission

Date: November 15, 2005

Continuance from October 18, 2005

Council District: 9

Ferguson Map: 483 B6

Applicant Name:

Brown, P. C., Attorneys at Law

Owner Name:

Big Springs, Ltd.

Zoning Request: From PUD "R-6 ERZD" Planned Unit Development Residential Single-Family Edwards Recharge Zone District to "MF-33 ERZD" Multi-Family Edwards Recharge Zone District.

Property Location: P-10, NCB 19219

West of the intersection of 281 North and Evans Road

Proposal: Proposing multi family use

Neigh. Assoc. Stone Oak Property Owner's Association and Big Spring Neighborhood Association

Neigh. Plan None

TIA Statement: A Traffic Impact Analysis is not required.

Staff Recommendation:

Approval

The subject property is currently vacant and located west of the intersection of two major thoroughfares, Evans Road and 281. The property to the east is an established single-family residential development. The properties to the north, south and west are currently vacant and zoned for residential to the south and west, and commercial to the north.

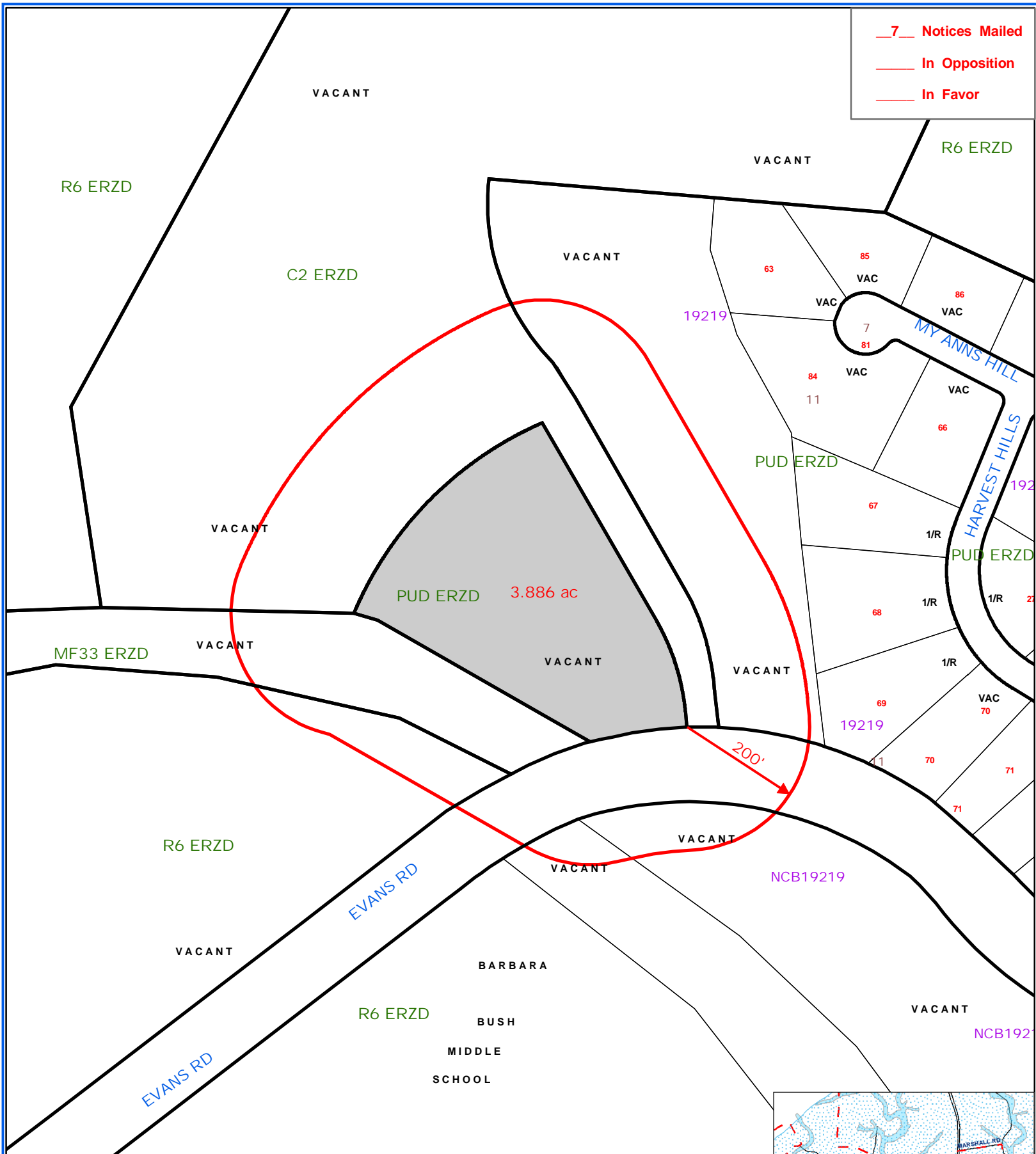
This property is better suited for multi-family development due to the size of the property. Furthermore, it will serve as a transition between the residential development to the east and the drainage to the west.

SAWS Summary:

1. SAWS recommends approval of the proposed land use.
2. A category determination has not been submitted. Until such time the property is classified as a Category 2 property.
3. SAWS recommends that the impervious cover on the site shall not exceed 30%.

CASE MANAGER : Robin Stover 207-7945

7 Notices Mailed
 _____ In Opposition
 _____ In Favor



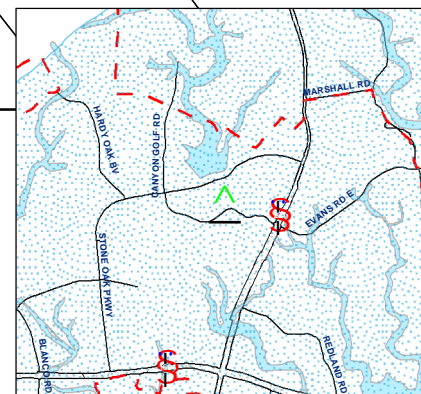
ZONING CASE: Z2005-231

City Council District No. 9
 Requested Zoning Change
 From "R-6 PUD ERZD" To "MF-33 ERZD"
 Date: November 15, 2005
 Scale: 1" = 200'

■ Subject Property
 ○ 200' Notification



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CASE NO: Z2005235 CD

Final Staff Recommendation - Zoning Commission

Date: November 15, 2005

Zoning Commission continuance from October 18, 2005

Council District: 4

Ferguson Map: 714 F3 & F4

Applicant Name:

Brown, P. C.

Owner Name:

Presto Tierra, Ltd.

Zoning Request: From "FR" Farm and Ranch District and "RD" Rural Development District to "RD" (CD-density up to 4 units/acre) Rural Development with Conditional Use for density up to 4 units/acre and "RD" Rural Development.

Property Location: 455 acres out of CB 4298

Southwest corner of Watson Road and State Highway 16

Proposal: To develop as a mixed-use, mixed-intensity project

Neigh. Assoc. None

Neigh. Plan The City South Community Plan

TIA Statement: Level-3 Traffic Impact Analysis has been submitted with recommendations for on-site and off-site improvements

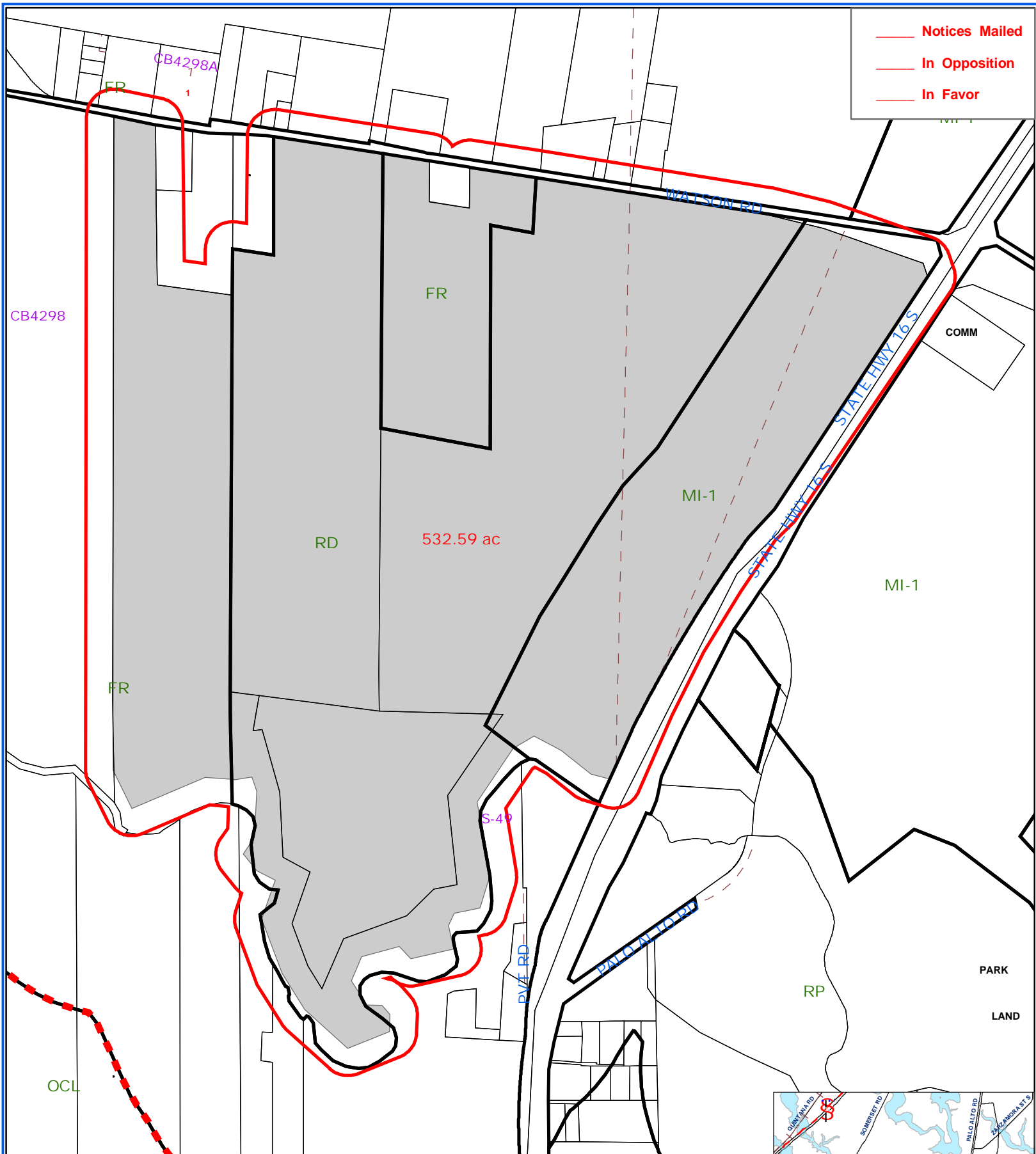
Staff Recommendation:

Consistent. The request does conform to the land use plan of The City South Community Plan.

Approval. Staff supports change from "FR" to "RD" (CD-density up to 4 units/acre) Rural Development with Conditional Use for density up to 4 units/acre and "RD" Rural Development. Flex Districts are the preferred zoning districts for the City South (Southside Initiative) Community Plan area. The proposed project can be accomplished using the Flex Development Plan provisions and conservation subdivision provisions of the existing "RD".

Agriculture and Light Industry land uses should remain as an appropriate transitional land use to Heavy Industrial due to potential nuisances.

CASE MANAGER : Richard Ramirez 207-5018



ZONING CASE: Z2005-235 CD

City Council District No. 4

Requested Zoning Change

From "FR" and "RD" To "RD" and "RD CD"

Date: November 15, 2005

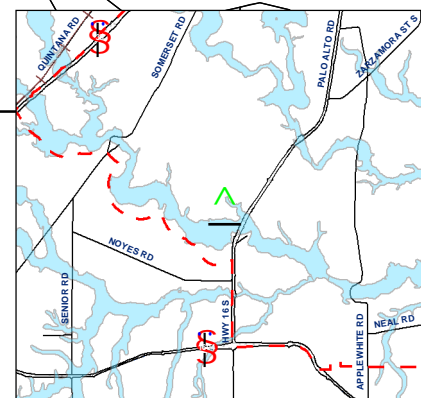
Scale: 1" = 900'

Subject Property

200' Notification



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CASE NO: Z2005241 CD

Final Staff Recommendation - Zoning Commission

Date: November 15, 2005

Council District: 3

Ferguson Map: 650 E5

Applicant Name:

Beatriz Talayero

Owner Name:

Marcus Crassus Land, Ltd.

Zoning Request: From "I-1" General Industrial District to "C-2" (CD - Wholesale Bakery) Commercial District with a Conditional Use for a Wholesale Bakery.

Property Location: The south 75 feet of Lots 1 and 2, Block 23, NCB 7683
6208 and 6212 South Flores Street

Proposal: For a Wholesale Bakery

Neigh. Assoc. Mission San Jose Neighborhood Appearance and Safety Committee

Neigh. Plan South Central San Antonio Community Plan

TIA Statement: A Traffic Impact Analysis is not required

Staff Recommendation:

Consistent

The "C2" Conditional District is consistent with the South Central San Antonio Community Plan. The land-use component of the plan calls for mixed-use at this location.

Approval

The subject property is occupied by an existing vacant commercial building along South Flores Street, a Secondary Arterial Type "B" Road. This proposal represents a down-zoning from "I-1" General Industrial District to "C-2" CD Commercial District with a Conditional Use for a Wholesale Bakery. Though a wholesale bakery is allowed in the "I-1" District, the applicant is proposing to operate a retail component as well. The retail component is not allowed in an industrial zoning district.

The "C-2" base zoning district allows commercial and office uses that are more intense than those in the "NC" Neighborhood Commercial District and "C-1" Commercial District. Additionally, the "C-1" district limits the individual maximum building size to 5,000 square feet. According to the Bexar County Appraisal District, the building on the subject property is 6,750 square feet in size.

The applicant amended their initial request of "C-3" CD General Commercial District with the same conditional use in order to ensure compatibility with the South Central San Antonio Community Plan.

The subject property was zoned "J" Commercial District prior to the conversion of zoning classifications upon adoption of the Unified Development Code in February of 2003. The conversion reclassified "J" Commercial District to the current "I-1".

The applicant has been made aware that the subject property has some deficiencies that must be addressed prior to issuance of a certificate of occupancy. One deficiency is the lack of an adequate number of parking spaces. The UDC requires 1 parking space per 300 square feet of floor area for a wholesale bakery, which equates to a requirement of 11 parking spaces. However, the subject property only has approximately 6 parking spaces and 1 handicap space. The applicants have been advised that they will need to petition to the Board of Adjustment for a variance to allow the current

CASE NO: Z2005241 CD

Final Staff Recommendation - Zoning Commission

number of spaces.

Additionally, the subject property is designed in such a way that only allows "head-in" parking. This means that customers will be required to reverse into the street in order to exit the parking lot; potentially creating a traffic hazard. However, the applicant will be allowed continue the practice of "head-in" parking being that there is an existing building and so long as they do not make improvements to the subject property in excess of 25% of the appraised value.

CASE MANAGER : Rudy Nino, Jr. 207-8389

CASE NO: Z2005243

Final Staff Recommendation - Zoning Commission

Date: November 15, 2005

Council District: 3

Ferguson Map: 651 E1

Applicant Name:

H L H Properties, LP

Owner Name:

Harry Hausman

Zoning Request: From "C-2" Commercial District to "R-4" Residential Single-Family District.

Property Location: Lots 30 through 32, Block 25, NCB 3200

1523 and 1525 Bailey Avenue

West of the Intersection of Elgin Avenue and Bailey Avenue

Proposal: For residential use

Neigh. Assoc. Sunny Slope Neighborhood Association

Neigh. Plan None

TIA Statement: A Traffic Impact Analysis is not required.

Staff Recommendation:

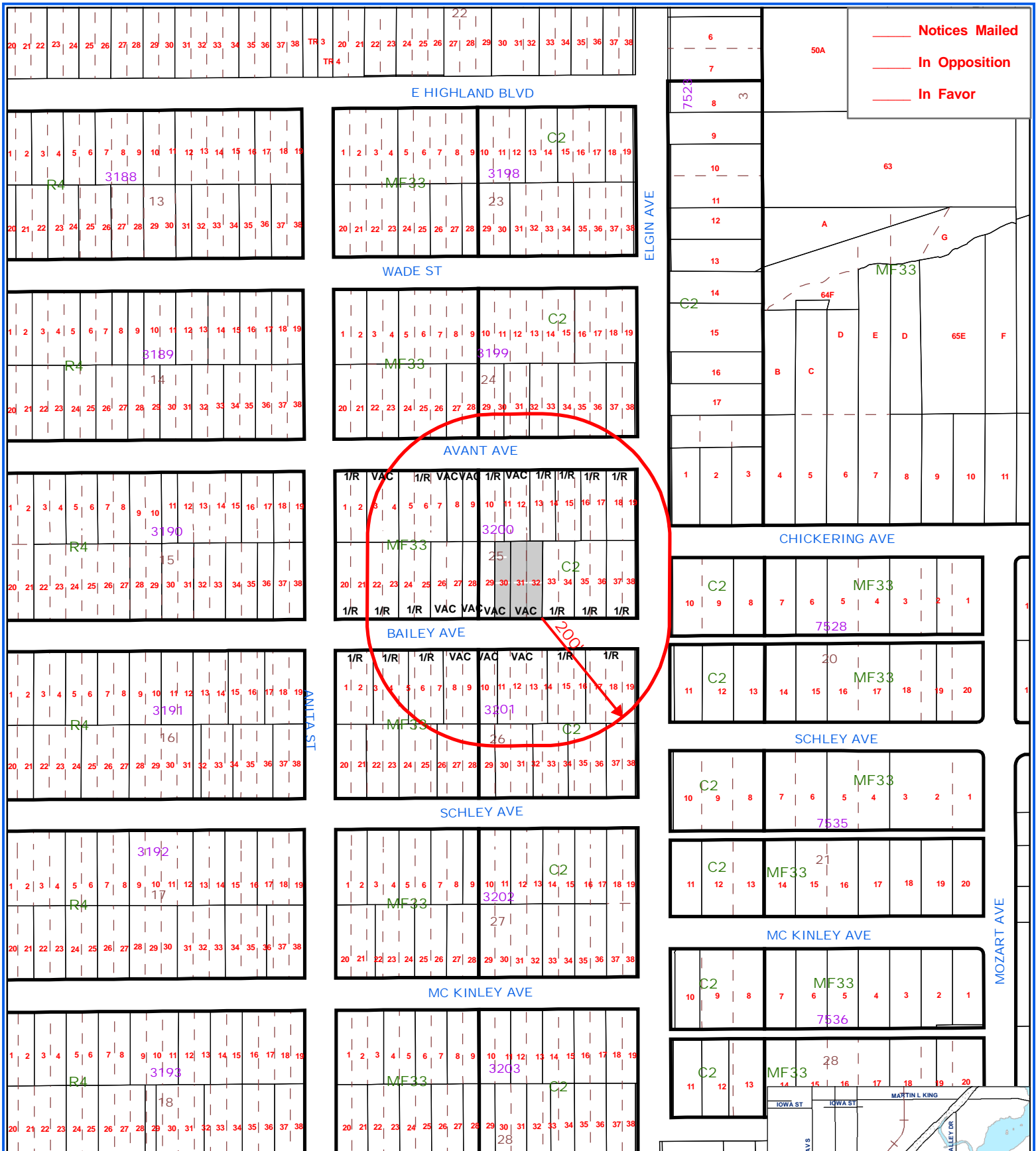
Approval

The subject property is currently vacant and located west of the intersection of Elgin Avenue and Bailey Avenue. The surrounding properties contain single-family homes and a few vacant lots.

The property was originally zoned "F" Local Retail District which permitted a variety of uses including residential, retail, and service uses. The properties to the west were zoned "C" Apartment District which permitted a mixture of single-family homes and multi-family developments. These districts were converted with the adoption of the 2001 UDC. The "F" Local Retail District became the "C-2" Commercial District and the "C" Apartment District became the "MF-33" Multi-Family District. The homes that were already developed were "grandfathered" and remained on the properties.

The proposed change to "R-4" Single-Family Residential District would be appropriate at this location. The change in zoning would conform to the existing land use. The Master Plan Policies encourage the rezone of vacant property within neighborhoods in order to promote compatible redevelopment in use and intensity. Furthermore, commercial development would not be suitable at this location due to the lack of vehicular traffic and the surrounding properties.

CASE MANAGER : Robin Stover 207-7945



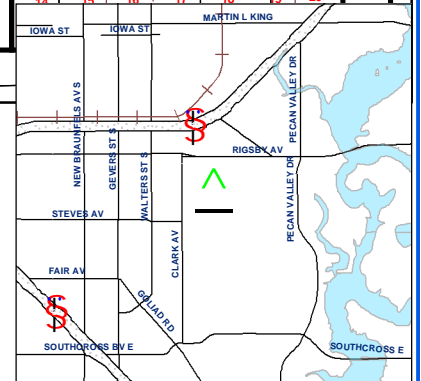
ZONING CASE: Z2005-243

City Council District No. 3
 Requested Zoning Change
 From "C-2" To "R-4"
 Date: November 15, 2005
 Scale: 1" = 200'

Subject Property
 200' Notification



Nov_1_2005



CASE NO: Z2005245 CD

Final Staff Recommendation - Zoning Commission

Date: November 15, 2005

Zoning Commission continuance from November 1, 2005

Council District: 10

Ferguson Map: 583 E3

Applicant Name:

Richard Gomez

Owner Name:

Richard Gomez

Zoning Request: From "C-2" Commercial District to "C-2" (CD-Automotive Repair Shop) Commercial District with a Conditional Use for a Automotive Repair Shop.

Property Location: Lot 22, Block 34, NCB 9073

1251 Austin Highway

North corner of Austin Highway and Seidel

Proposal: To expand existing automotive repair shop

Neigh. Assoc. Terrell Heights Neighborhood Association and Wilshire Village Neighborhood Association (within 200 feet)

Neigh. Plan Northeast Inner Loop Neighborhood Plan

TIA Statement: A Traffic Impact Analysis is not required

Staff Recommendation:

Consistent.

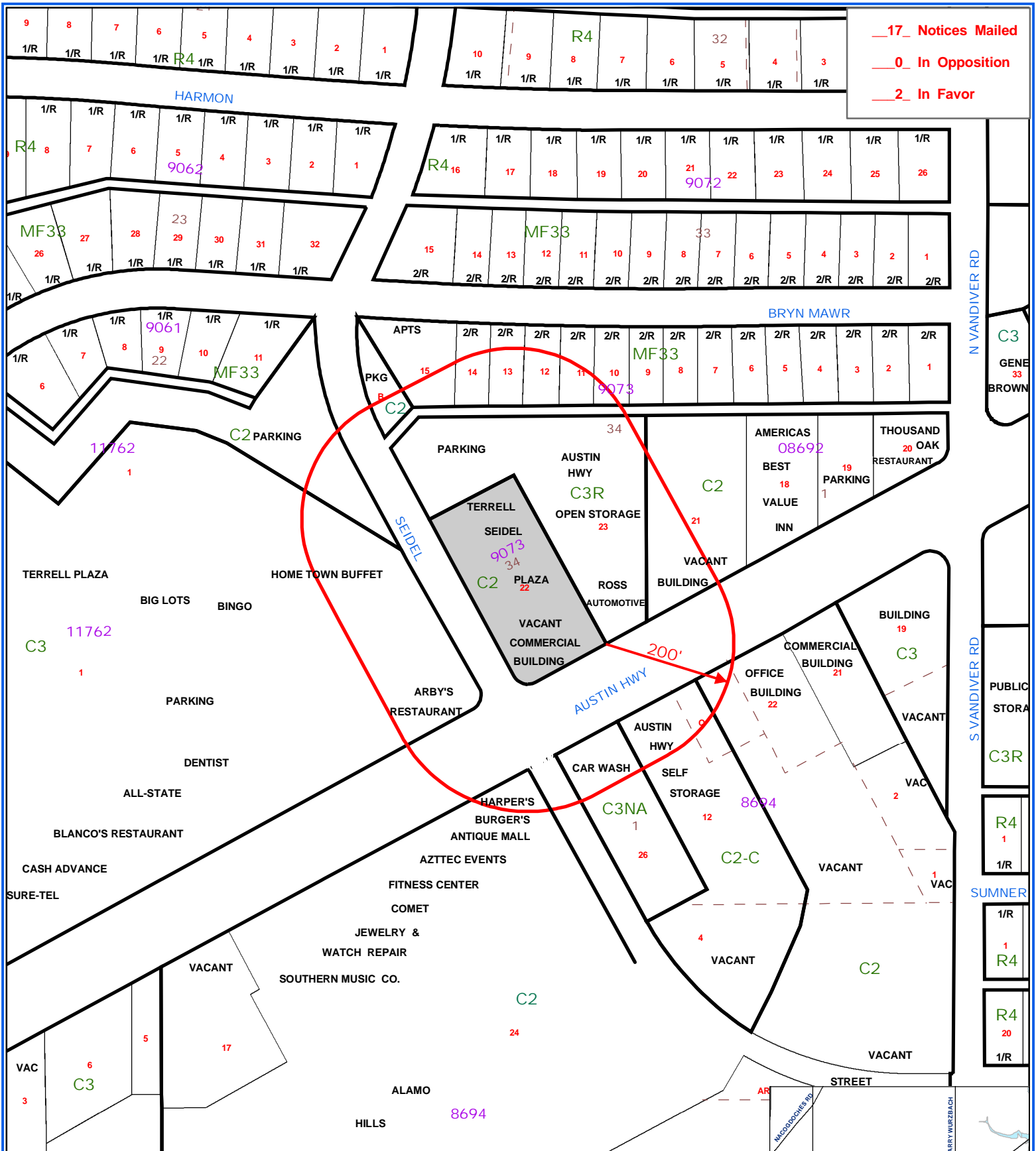
The Northeast Inner Loop Neighborhood Plan identifies this site as Community Commercial. On November 1, 2005 the application was amended to a "C-2" (CD Automotive Repair Shop), therefore, an amendment to the neighborhood plan is not required.

The applicant amended his initial request of "C-3" General Commercial District to "C-2" (CD-Automotive Repair Shop) Commercial District with a Conditional Use for a Automotive Repair Shop to be consistent with the plan.

Approval

Consistent with the Northeast Inner Loop Community Plan. The subject property contains a small shopping plaza (Terrell Seidel Plaza) and vacant commercial building. The vacant commercial building is located on Austin Highway, a major thoroughfare. The subject property is adjacent to "C-3R" Restrictive General Commercial District to the northwest and northeast, with "C-3" General Commercial District across Seidel to the west. The applicant wishes to use the vacant commercial building for the expansion of an existing automotive repair shop located at 1253 Austin Highway. The zoning change would be appropriate with the following conditions 1. No more than 8 vehicles on site at any given time for repair or storage. 2. Each vehicle limited to 2 months maximum for storage. 3. No storage of junk vehicles. 4. Vehicles must be licensed. 5. No freestanding signage will be permitted. 6. Dumpsters must be screened from public view. 7. Lighting will be placed to direct the light away from adjoining properties and traffic.

CASE MANAGER : Pedro Vega 207-7980



17 Notices Mailed
0 In Opposition
2 In Favor

ZONING CASE: Z2005-245 CD

City Council District No. 10
 Requested Zoning Change
 From "C-2" To "C-2"CD
 Date: November 15, 2005
 Scale: 1" = 200'

Subject Property
 200' Notification

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CASE NO: Z2005251

Final Staff Recommendation - Zoning Commission

Date: November 15, 2005

Council District: 3

Ferguson Map:

Applicant Name:

Rogelio Ibarra

Owner Name:

Rogelio Ibarra and Sara

Zoning Request: From "R-4" Residential Single Family District to "MH" Manufactured Housing District.

Property Location: Lot 5, Block 1, NCB 10867

7701 Shetland Drive

South corner of Shetland Drive and Blythe Avenue

Proposal: Double Wide Manufactured Home

Neigh. Assoc. Highland Forest Neighborhood Association

Neigh. Plan None

TIA Statement: A Traffic Impact Analysis is not required.

Staff Recommendation:

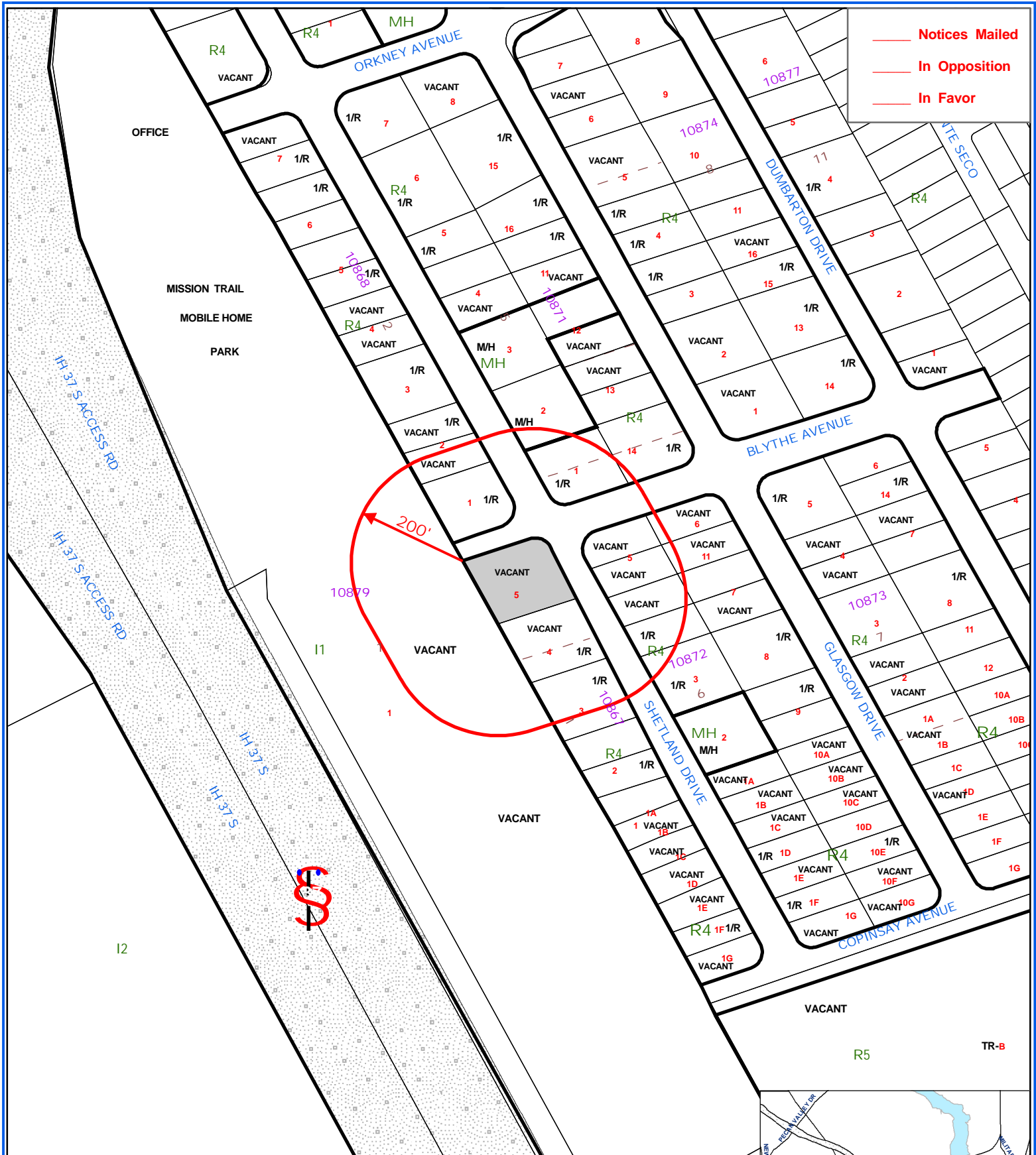
Approval

The subject property is in a residential subdivision containing site built dwellings, vacant lots and a few manufactured homes. The subject property is currently undeveloped. The existing zoning in the area is "R-4" Residential Single Family District and "MH" Manufactured Housing District. A manufactured home would be appropriate at this location.

Manufactured homes design and installation criteria regulations are designed to provide adequate protection both for the manufactured homes and for the surrounding development.

The applicant is currently living in a manufactured home located at 25545 Dunes in south Bexar County. The zoning change will allow the applicant to move the manufactured home to 7701 Shetland Drive.

CASE MANAGER : Pedro Vega 207-7980

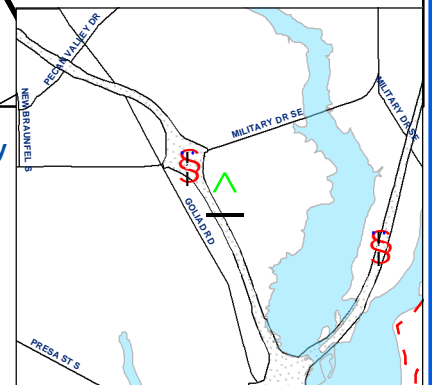


ZONING CASE: **Z2005-251**

City Council District No. 3
 Requested Zoning Change
 From "R-4" To "MH"
 Date: November 15, 2005
 Scale: 1" = 200'

Subject Property
 200' Notification

Nov_1_2005



CASE NO: Z2005252

Final Staff Recommendation - Zoning Commission

Date: November 15, 2005

Council District: 8

Ferguson Map: 548 A2

Applicant Name:

Mi Valle Partners, Ltd.

Owner Name:

Mi Valle Partners, Ltd.

Zoning Request: From "C-3" General Commercial District to "MF-33" Multi-Family District.

Property Location: 4.826 acres out of NCB 14868

Approximate Southwest Corner of Babcock Road and De Zavala Road

Proposal: To make consistent with its intended use

Neigh. Assoc. Babcock North Neighborhood Association / Tanglewood Neighborhood Association is within 200 feet

Neigh. Plan None

TIA Statement: A Traffic Impact Analysis may be required during plat or building permit review.

Staff Recommendation:

Approval

The requested zoning is consistent with the current "MF-33" zoning districts in place to the west and to the south. The property to the west will be used in conjunction with the subject properties to develop a multi-family land use. Consequently, the requested zoning will allow multi-family uses, contribute to a diversity of housing types and styles in the area and serve as a transition from the commercial uses to the north and the single-family residential use to the south.

The subject properties, Lots 49 and part of Lot 52, are currently undeveloped, and both lots are presently zoned "C-3." Lot 49 was rezoned from the "R-1" district to the "B-2" district and Lot 52 was rezoned from the "R-1" district to the "B-3" district in November of 1973. In December of 1997, Lot 49 was rezoned again from "B-2" to "B-3," making both properties "B-3." Following an amendment to the Unified Development Code in 2001, the zoning of both properties was converted to the "C-3" zoning district. Lot 49 has a single frontage along Babcock Road, while Lot 52 also fronts along Babcock Road with a secondary frontage near the intersection of Babcock Road and De Zavala Road. The portion of Lot 52 that is included in the zoning application does not front on any street. The portions of this lot not included in the application that do have street frontage will retain the "C-3" zoning.

The property to the west, also owned by the applicant, is presently zoned "MF-33" and undeveloped. There is a single-family subdivision immediately to the south that also is located within the "MF-33" zoning district. Properties north of the subject rezone area are zoned "C-3," and properties to the east, across Babcock Road, are presently zoned "C-2" and "C-3." Only one adjacent parcel has an existing commercial use and this is the Tile Depot to the south.

CASE MANAGER : Matthew Taylor 207-5876

CASE NO: Z2005253

Final Staff Recommendation - Zoning Commission

Date: November 15, 2005

Council District: 3

Ferguson Map: 651 B1

Applicant Name:

Earl & Associates, P. C.

Owner Name:

HLH Properties, L. P.

Zoning Request: From "MF-33" Multi Family District and "I-1" General Industrial District to "R-4" Residential Single-Family District.

Property Location: Lots 20 through 25, Block 21, NCB 3196

West of the intersection of Elgin Avenue and Kayton Avenue

Proposal: To be developed as a single family residential community

Neigh. Assoc. Sunny Slope Neighborhood Association

Neigh. Plan None

TIA Statement: A Traffic Impact Analysis is not required.

Staff Recommendation:

Approval

The subject property is currently vacant and located west of the intersection of Elgin Avenue and Kayton Avenue. The surrounding properties contain single-family homes and a few vacant lots.

The property was originally zoned "C" Apartment District, which permitted a mixture of single-family homes and multi-family developments and "J" Commercial District, which permitted a variety of retail and service uses. The property to the north was zoned "F" Local Retail District, which permitted a variety of uses including residential, retail, and service. These districts were converted with the adoption of the 2001 UDC. The "C" Apartment District became the "MF-33" Multi-Family District, "J" Commercial District became the "I-1" General Industrial District, and the "F" Local Retail District became the "C-2" Commercial District. The homes that were already developed were "grandfathered" and remained on the properties.

The proposed change to "R-4" Single-Family Residential District would be appropriate at this location. The change in zoning would conform to the existing land use. The Master Plan Policies encourage the rezone of vacant property within neighborhoods in order to promote compatible redevelopment in use and intensity. The existing industrial and commercial districts to the north are either vacant or occupied by single-family residential homes. These zoning districts are not appropriate at this location due to the lack of vehicular traffic and the close proximity to the single-family dwellings.

CASE MANAGER : Robin Stover 207-7945

CASE NO: Z2005255

Final Staff Recommendation - Zoning Commission

Date: November 15, 2005

Council District: 10

Ferguson Map: 552 F6

Applicant Name:

J. H. & T. G. F. Ltd.

Owner Name:

Kopplow Family Limited Partnership

Zoning Request: From "MH" IH-1 Manufactured Housing Northeast Gateway Corridor Overlay District 1 to "L" IH-1 Light Industrial Northeast Gateway Corridor Overlay District 1.

Property Location: Lot 2, NCB 13807

5103 Sherri Ann Road

Northwest side Sherri Ann Road

Proposal: Storage facility for RV vehicles, autos and boats

Neigh. Assoc. None

Neigh. Plan None

TIA Statement: A Traffic Impact Analysis is not required.

Staff Recommendation:

Approval

The subject property is undeveloped and located on Sherri Ann a local access street. The subject property is adjacent to "I-1" IH-1 General Industrial Northeast Gateway Corridor Overlay District 1 to the northwest, "C-3" IH-1 General Commercial Northeast Gateway Corridor Overlay District 1 to the southwest and "R-5" IH-1 Residential Single-Family Northeast Gateway Corridor Overlay District 1 to the northeast (high power lines) with "C-3 R" Restrictive Commercial District across Sherri Ann to the southeast (vacant). The subject property is within the Interstate Highway 35 North and Randolph Boulevard commercial node. The "L" IH-1 Light Industrial Northeast Gateway Corridor Overlay District 1 would be appropriate at this location and compatible with surrounding uses.

Ingress and egress will be from Interstate Highway 35 North access road.

CASE MANAGER : Pedro Vega 207-7980

CASE NO: Z2005256

Final Staff Recommendation - Zoning Commission

Date: November 15, 2005

Council District: 10

Ferguson Map: 553 A1

Applicant Name:

O'Haver Development, LLC

Owner Name:

Dian Antonio E. Fernandez and Aura Guadalupe
Borges DeDiaz

Zoning Request: From "R-6" Residential Single Family District to "C-3 NA" General Commercial
Nonalcoholic Sales District.

Property Location: P-4B, NCB 15722

12997 O'Connor Road

Westside of O'Connor Road

Proposal: Office Warehouse

Neigh. Assoc. Valencia Home Owners Association

Neigh. Plan None

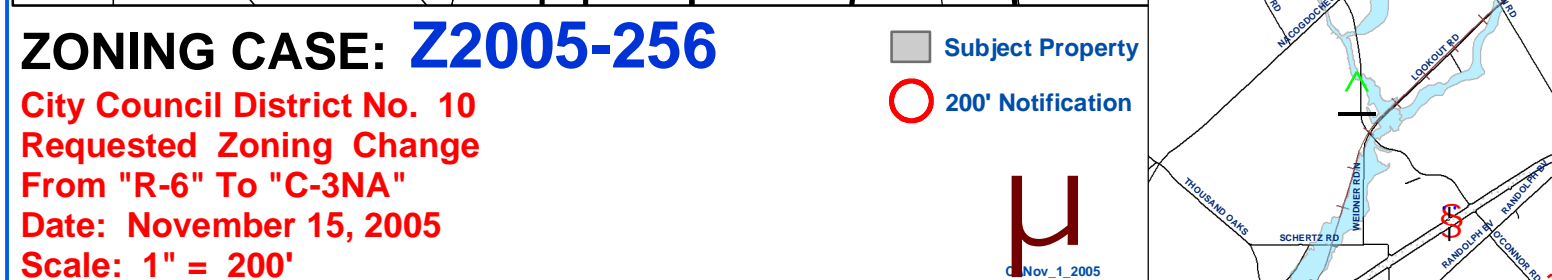
TIA Statement: A Traffic Impact Analysis is not required.

Staff Recommendation:

Approval

The subject property is undeveloped and located on O'Connor Road a major thoroughfare. The subject property is adjacent to "O-2" Office District to the south (church) and "R-6" Residential Single-Family District to the west (single-family dwellings) with "C-3 R" Restrictive District across O'Connor Road to the east (vacant). A drainage easement provides a buffer to the north. The requested rezoning is consistent with the development pattern along O'Connor Road. The "C-3" General Commercial Districts permit general commercial activities designed to serve the community such as repair shops, wholesale businesses, warehousing and limited retail sales with some outdoor display of goods. "C-3 NA" General Commercial Nonalcoholic Sales District will permit the office warehouse without the sale of alcoholic beverages. Single-family dwellings are not appropriate because of the volume of traffic on O'Connor Road. The proposed use will front O'Connor Road and will not impose any additional adverse impact on the residential neighborhood to the west.

CASE MANAGER : Pedro Vega 207-7980



CASE NO: Z2005257

Final Staff Recommendation - Zoning Commission

Date: November 15, 2005

Council District: 6

Ferguson Map: 612 B3

Applicant Name:

Kaufman and Associates, Inc.

Owner Name:

Nickel Joint Venture

Zoning Request: From "R-6" Residential Single-Family District to "C-3" General Commercial District.

Property Location: 22.586 acres out of NCB 34392

Approximate Northeast corner of West Loop 1604 North and Potranco Road

Proposal: To allow the development of retail uses

Neigh. Assoc. Oak Creek Homeowner's Association

Neigh. Plan None

TIA Statement: A Traffic Impact Analysis is required.

Staff Recommendation:

Denial, with an alternate recommendation of Approval of "C-3" and "C-2 CD" for a home improvement center.

Note: At a neighborhood meeting on November 8, 2005, the applicants stated that a 50 foot natural buffer along the east lot lines and a 25 foot natural buffer along the north lot line would be preserved. Further, the applicants stated that, if the requested "C-3" were approved, many intense and potentially undesirable uses otherwise allowed by right would be limited with a voluntary imposition of deed restrictions.

The requested zoning, "C-3," is most appropriate at the intersections of major thoroughfares where lot lines are usually shared with other commercial uses and traffic circulation is better managed with multiple frontages that offer more flexibility in vehicular ingress and egress. Smaller scale local uses are preferable to regional type uses in locations away from major intersections where less intense residential, commercial and office uses are more common and where access points are limited to a single street frontage. Approximately 87 percent of all commercial retail uses identified in the Unified Development Code (UDC) are permitted by right in the "C-2" zoning district. Retail uses which are not permitted in the "C-2" and instead require a "C-3" zoning district include, but are not limited to, farm supply and feed stores, flea markets, thrift stores and home improvement centers. Consequently, staff believes that the "C-3" zoning district is appropriate for the south 10.002 acres (Lot P1-G) to complete the commercial node at the intersection of Loop 1604 and Potranco Road. However, staff finds that a "C-2 CD" for a home improvement center is a more appropriate zoning than "C-3" for the remaining 12.584 acres (Lots P1-G and P-4).

An approval of the "C-3" zoning district requires a Type "C" landscape buffer, although the UDC allows a solid wall in lieu of the buffer. The approval of a "C-2" zone would require a Type "B" buffer but allow the placement of a fence in place of the buffer; however, an approval of the "C-2 CD" would allow a home improvement center and only those uses permitted by right in the "C-2" zoning district and can require the Type "B" landscape buffer itself and not allow the substitution of a fence.

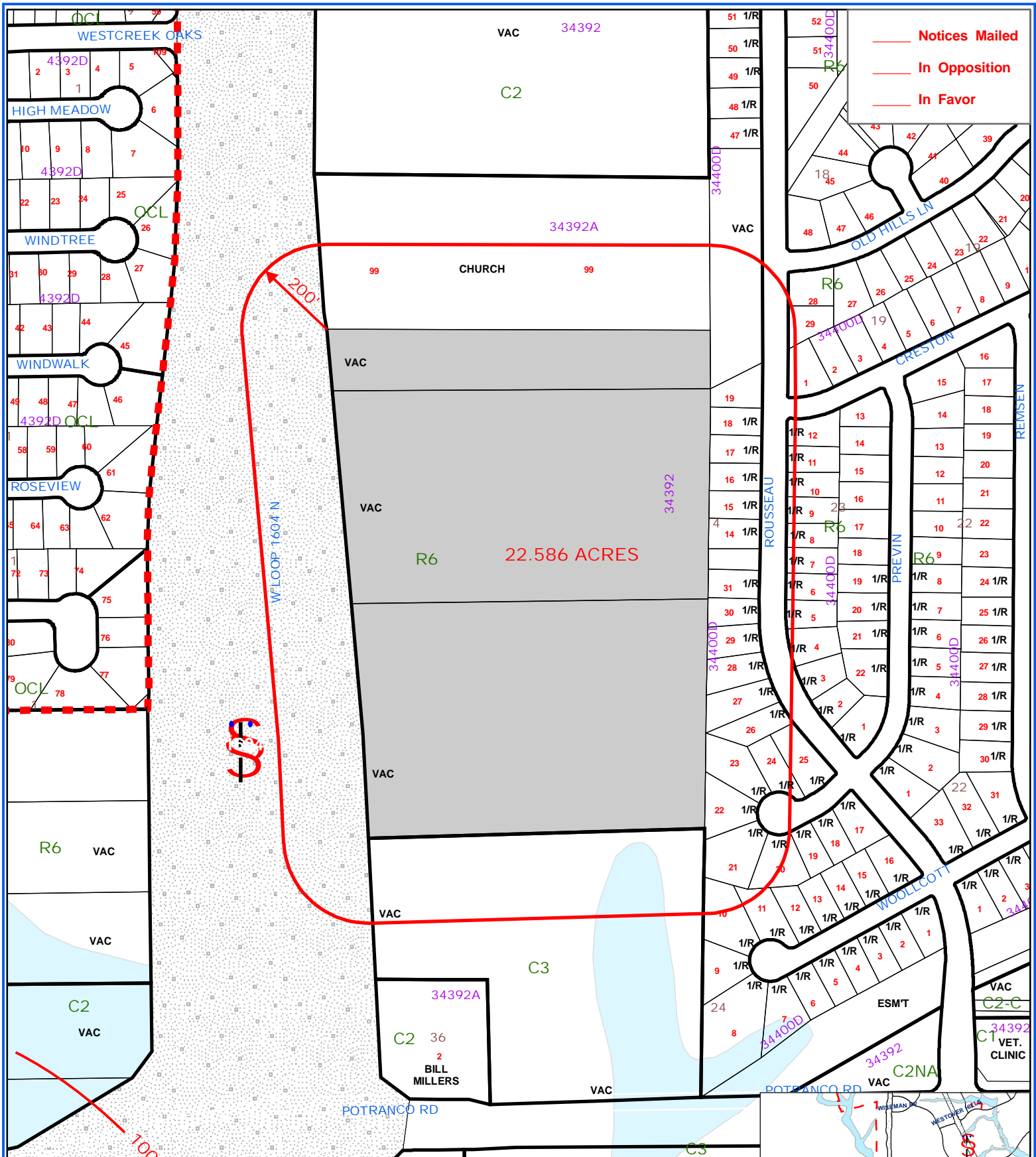
The subject properties, Lots P-1F, P-1G and P-4, are currently undeveloped and were annexed into the city in December of 2000 as part of a large annexation encompassing more than 2,200 acres. The annexation-associated zoning of "Temporary R-1" was applied to the properties and, following the 2001 update of the UDC, the zoning was converted to "R-6."

CASE NO: Z2005257

Final Staff Recommendation - Zoning Commission

The property immediately north also has "R-6" zoning and is the site of Calvary Hills Baptist Church. There is a continuation of commercial zoning, "C-2," further to the north of the church. Immediately to the east is a residential subdivision, Oak Creek, zoned "R-6." Immediately to the south at the intersection of Loop 1604 and Potranco Road, are parcels of land zoned "C-3." This property was rezoned from "R-6" to "C-3" with the approval of zoning case Z2005194 by the city council in September 2005. The parcels directly to the west, across Loop 1604, have residential zoning, and the densest residential uses are currently outside the municipal boundary of the city.

CASE MANAGER : Matthew Taylor 207-5876

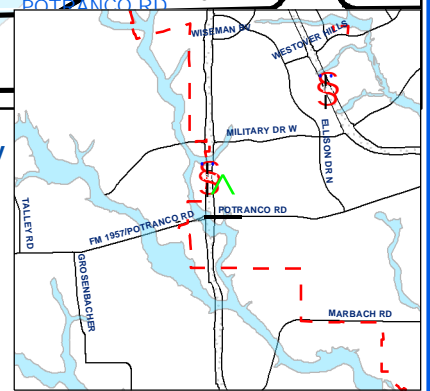


_____ Notices Mailed
 _____ In Opposition
 _____ In Favor

ZONING CASE: **Z2005-257**

City Council District No. 6
 Requested Zoning Change
 From "R-6" To "C-3"
 Date: November 15, 2005
 Scale: 1" = 200'

■ Subject Property
 ○ 200' Notification



CASE NO: Z2005258

Final Staff Recommendation - Zoning Commission

Date: November 15, 2005

Council District: 4

Ferguson Map: 649 E8

Applicant Name:

Comprehensive Radiology Management
Services

Owner Name:

MTB Interests Inc. & WOB Interests Inc.

Zoning Request: From "I-2" Heavy Industrial District to "C-2" Commercial District.

Property Location: 1.853 acre tract out of P-108, NCB 11186

7800 Block of Barlite Boulevard

Located on Barlite Boulevard, approximately 200 feet north of the Barlite Boulevard
and Navajo Street intersection

Proposal: For medical offices and laboratory

Neigh. Assoc. None

Neigh. Plan None

TIA Statement: A Traffic Impact Analysis is not required.

Staff Recommendation:

Approval

The subject property is currently undeveloped and located on Barlite Boulevard, a local access street, approximately 200 feet north of the Barlite Boulevard and Navajo Street. It is surrounded by undeveloped properties to the east and south, a high school to the west and medical offices to the north. The subject property as well as the surrounding properties are zoned "I-2" Heavy Industrial. This zoning classification is the conversion from the previous zoning designation of "MM" Second Manufacturing District, prior to the adoption of the Unified Development Code.

"C-2" Commercial District is proposed for the subject property for medical offices and laboratory. The "C-2" zoning designation is a down zoning from "I-2". It is consistent with the development pattern of Barlite Boulevard and the proposed use is consistent with the established uses in the area.

CASE MANAGER : Judy Equez 207-7442

CASE NO: Z2005259

Final Staff Recommendation - Zoning Commission

Date: November 15, 2005

Council District: 6

Ferguson Map: 613 C1

Applicant Name:

Owner Name:

Regent Communities Partners, L. P.

Frank G. Persyn

Zoning Request: From "R-6" Residential Single-Family District to "R-5" Residential Single-Family District.

Property Location: 200.78 acres out of NCB 18288

8788 Reed Road

Approximate Southeast Corner of West Military Drive and Reed Road/Vicinity of West Military Drive and Potranco Road

Proposal: To provide flexibility in the design of a master planned subdivision

Neigh. Assoc. Timber Ridge Neighborhood Association

Neigh. Plan None

TIA Statement: A Level 1 Traffic Impact Analysis is required. A Level 2 and Level 3 analysis may also be required during the permitting process.

Staff Recommendation:

Approval

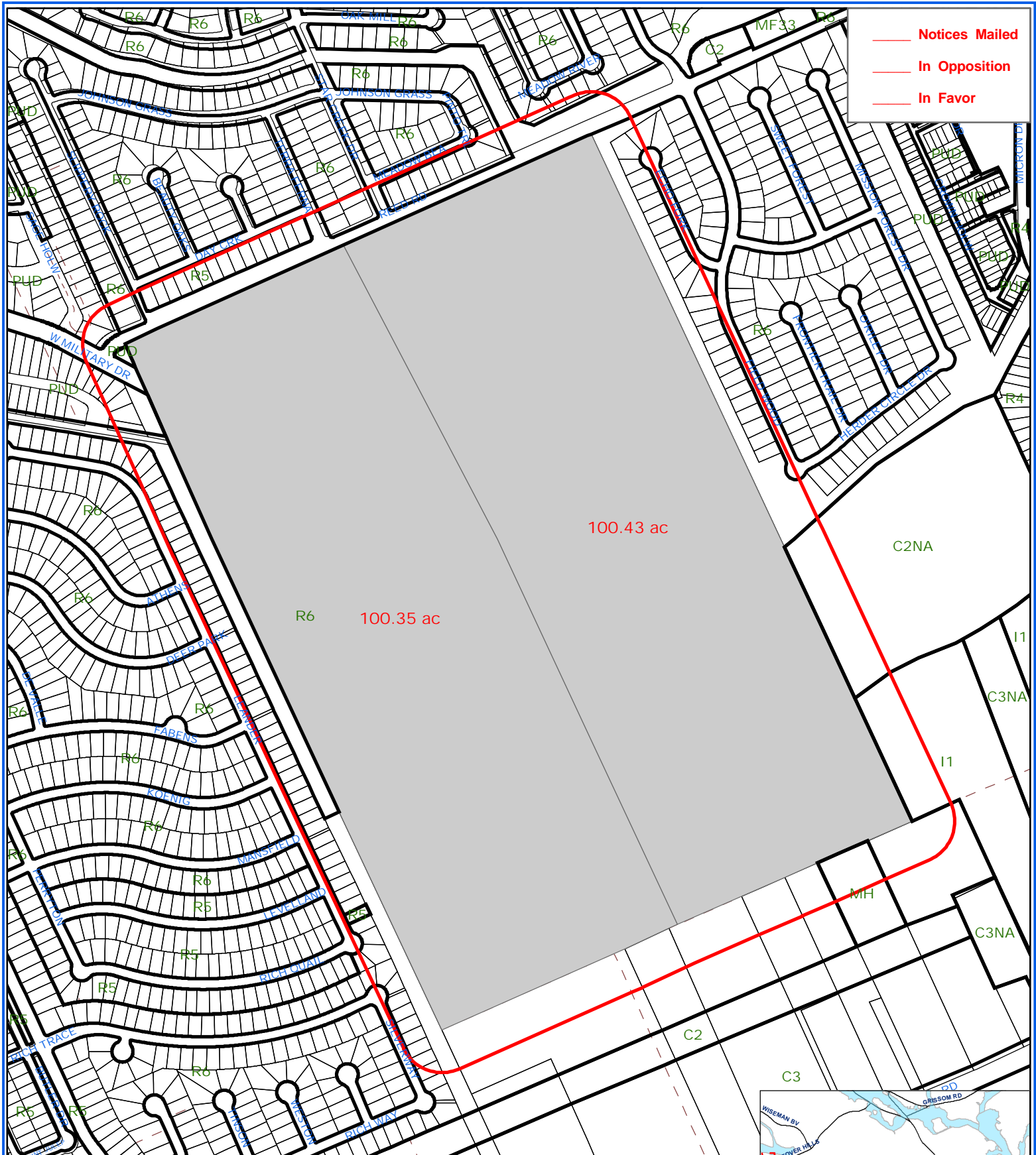
The requested zoning district is consistent with the surrounding zoning districts of "R-6" and "R-5." The development of a single-family subdivision at this location is compatible with the existing single-family residential developments that surrounds the majority of the property and the single-family residential land use pattern in the general area.

The subject property, consisting of Lots P-44 and P-45, is currently zoned "R-6." There is an existing homestead with a residence that was constructed around 1915 and a mobile home on the property that dates to around 1970. There are numerous accessory structures, mostly on the north half, and the balance of the property is largely undeveloped.

There is an existing single-family residential subdivision to the west that has a combination of "R-6" and "R-5" zoning. To the north is another single-family residential subdivision that is predominately zoned "R-6" with about 15 parcels zoned "R-5" along the frontage of Reed Road. Additional "R-6" single-family uses are located to the east of the subject property except for adjacent properties zoned "C-2NA" and "I-1," which are located closer to the frontage of Potranco Road. To the south, portions of the property not included in the application, as well as other adjacent properties, have existing "C-2" and "C-3" zoning, the result of a 1996 rezoning along the frontage of Potranco Road.

The applicant is proposing a development that would consist of 780 units with an average lot size of 5,560 square feet, which is a project that does not actually represent the 20 percent increase in density that a change from "R-6" to "R-5" would potentially allow. Approximately 15 of the 200 acres are being retained for the existing homestead and the remaining 185 acres will be developed with a variety of residential housing types. Lastly, the city's Major Thoroughfare Plan designates West Military Drive as a secondary arterial, traversing the subject property and linking with Southwest Military Drive at Potranco Road.

CASE MANAGER : Matthew Taylor 207-5876



— Notices Mailed
 — In Opposition
 — In Favor

ZONING CASE: **Z2005-259**

City Council District No. 6
 Requested Zoning Change
 From "R-6" To "R-5"

Date: November 15, 2005

Scale: 1" = 600'

■ Subject Property
 ○ 200' Notification



CASE NO: Z2005261

Final Staff Recommendation - Zoning Commission

Date: November 15, 2005

Council District: 8

Ferguson Map: 548

Applicant Name:

Brown, P. C.

Owner Name:

Stanley and Ernestine Studer

Zoning Request: From "R-6" Residential Single Family District and "C-2" Commercial District to "MF-25" Multi Family District.

Property Location: 5.960 acres out of Block 2, NCB 14864

10127 Huebner Road

Northwest side Huebner Road

Proposal: Assisted Living Facility

Neigh. Assoc. Oakland Estates Neighborhood Association

Neigh. Plan Oakland Estates Community Plan

TIA Statement: A Traffic Impact Analysis is not required.

Staff Recommendation:

Consistent.

The Oakland Estates Neighborhood Plan does not contain a land use plan, however, a consistency recommendation is still required.

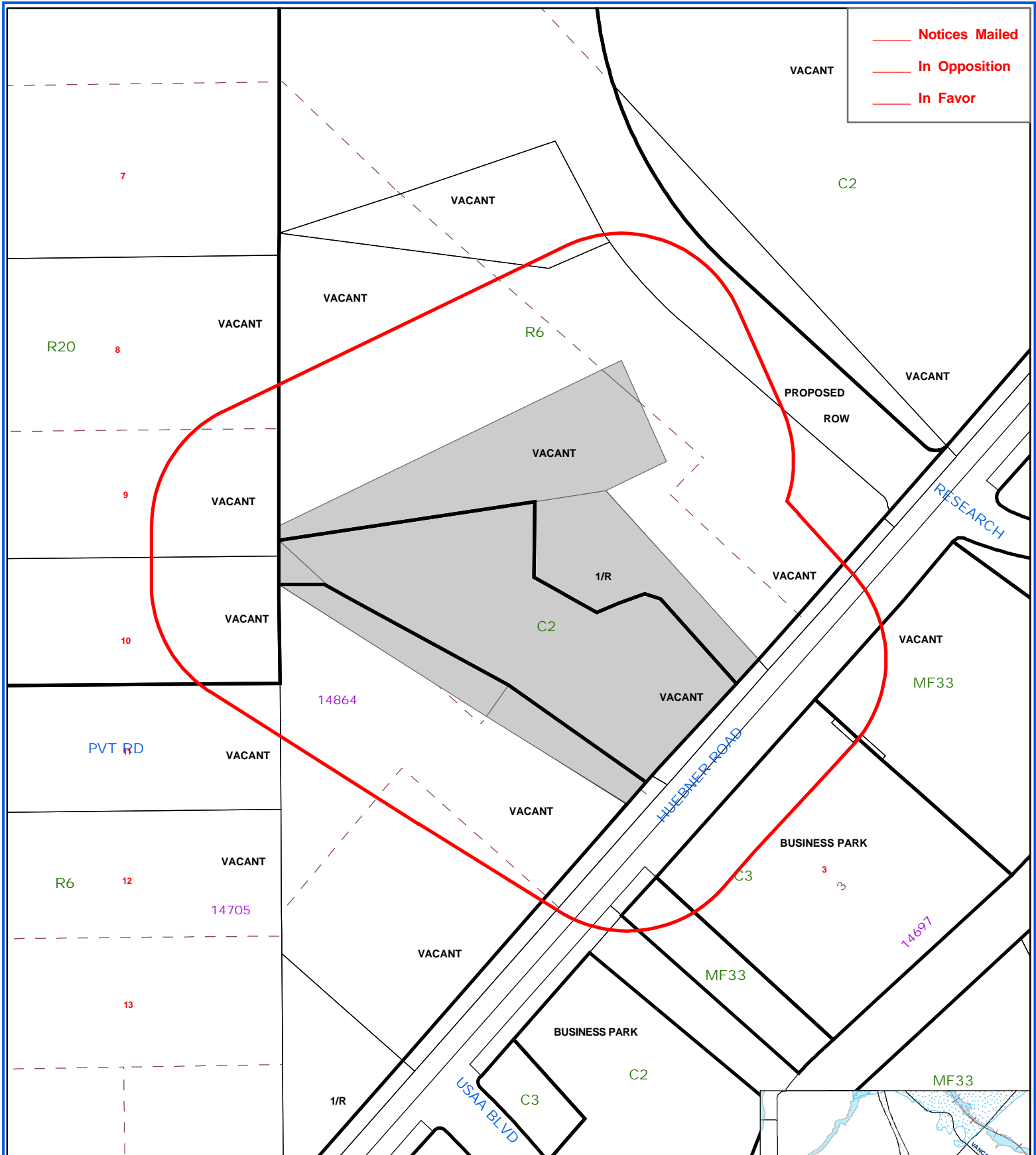
The Neighborhood Plan textually notes that any rezoning for apartment uses should not be supported. Although a specific use for an assisted living or elderly housing facility may be considered an appropriate use of the property and neighborhood, the MF-25 zoning would not preclude the eventual use for an apartment use.

Approval

The subject property has an existing two story house and a two car garage with an attached apartment. The subject property is adjacent to "R-6" Residential Single-Family District to the southwest (vacant) and northeast (vacant) with "C-3" General Commercial District across Huebner Road to the southeast (Business Park). The "MF-25" Multi Family District for an Assisted Living Facility would be appropriate at this location. The subject property is near emergency facilities the South Texas Medical Center. Considering the location and acreage of the subject property, the Assisted Living Facility shall not adversely affect the surrounding neighborhood.

Multi-family Dwellings are a permitted use for any tract or parcel zoned "B-1", "B-2", or "B-2NA" prior to the adoption date of this Chapter. so long as such tract is not the subject of rezoning in accordance with the provisions of this Chapter and remain within the "C-1", "C-2", or "C-2NA" zoning districts.

CASE MANAGER : Pedro Vega 207-7980



ZONING CASE: Z2005-261

City Council District No. 8
Requested Zoning Change
From "R-6" and "C-2" To "MF-25"
Date: November 15, 2005
Scale: 1" = 200'

■ Subject Property
 ○ 200' Notification

M
 Nov 1, 2005

